

89964JLT

Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Patrick Gerard, et al

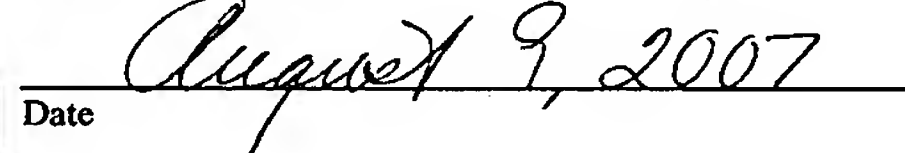
APPARATUS AND METHOD FOR  
TREATING IMAGING MATERIALS

Serial No. 10/565,054

Filed January 17, 2006

Group Art Unit:

Examiner:

I hereby certify that this correspondence is being deposited TODAY with the  
United States Postal Services as First Class Mail- in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450  
Sherryl A. Payne  
DateMail Stop: **PCT**  
Commissioner for Patents  
Office of PCT Legal Administration  
Alexandria, VA. 22313-1450  
**Attn: PCT Legal Office**

Sir:

**SECOND PETITION FOR WITHDRAWAL OF ABANDONMENT FOR  
FAILURE TO RECEIVE AN OFFICE ACTION**

In Response to the Decision On Petition Under 37 CFR 1.181 mailed 31 July 2007, Petitioner hereby respectfully requests that the holding of abandonment of the above referenced application be withdrawn. The Official Action referred to by the Office, (Missing Requirement Letter, mailed 5/23/2006) was never received by the Petitioner and a search of the file jacket and docket records indicate that the Official Action was not received. Petitioner made several attempts to locate the application on the PAIRS database to ascertain the status of the filed application and could not find the data in either Public or Private Pairs. On February 16, 2007, Petitioner mailed a Status Inquiry regarding the application. On May 4, 2007, Petitioner located the application in PAIRS by searching the Docket number field. On that date it was discovered the case had been abandoned. From the Image File Wrapper in PAIRS, Petitioner printed Form 905 (371 Formalities Notice) which indicates a mail date by the Patent Office to Petitioner of May 23, 2006. The Petitioner's Customer Number does not appear on said Notice and said Notice was never received by Petitioner.

Pursuant to the practice adopted in 1156 OG 53, dated November 16, 1993, enclosed herewith are copies of the cover of the docket file as well as a summary from the Petitioner's automated docketing system, each indicating where the Official Action would have been entered had it been received.

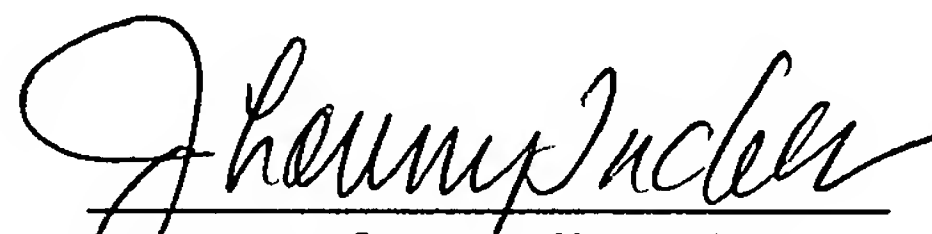
Additionally, in Response to the Decision, Petitioners have provided a true docket record listing of all replies due on 23 July 2006 generated from our computer database. An entry for the present application is not present in this docket record.

A response to the Notification of Missing Requirements and the originally executed Declaration was previously submitted.

**Please charge any fees due for the late filing of the Declaration, to Eastman Kodak Company Deposit Order Account Number 05-0225.**

It is understood that no fee is required for the filing of this petition, the granting of which is hereby respectfully solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J Lanny Tucker", written over a horizontal line.

Attorney for Applicant(s)  
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Docket/Atty	89964JLT	Country	US	SN	10/565054	Filed	1/17/2006
Agent Ref.		Priority Country	PCT	SN	PCT/EP03/07797	Filed	07-17-2003
Patent No.		Issue Date		FFR		ATF	
Inventor(s)	Patrick Gerard, Gilbert Machuel, Celin Savariar-Hauck						
Title	APPARATUS AND METHOD FOR TREATING IMAGING MATERIALS						
Actions							
1	1/17/2006 - IDS		16				
2	1/17/2006 - Preliminary Amendment		17				
3	2/16/2007 - Status Change		18				
4			19				
5			20				
6			21				
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14			29				
15			30				



IPMaster (v1.7.0) - [Patent 113695 of 127778]

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Docket Number: 89964  
 Country: United States  
 Case Type: Regular  
 Relation Type: Original Filing  
 Filing Type: Patent Cooperation Treaty  
 Filing Number:

Attorney: J. Lanny Tucker  
 Agent:  
 IP Portfolio Code: 034 - Commercial Printing Technol  
 Current Owner: Kodak Polychrome Graphics, Gmb  
 GPC: Andrew J. Anderson  
 Class (per ABC-012):

### APPARATUS AND METHOD FOR TREATING IMAGING MATERIALS

Ext. Desc.	Related ID	PTID/EWI	Title	Designated	Access/URL	Change Type	Keywords	License
Filing Date	Additional Filing In	Conflict	Action	Filing Notes	Inventor	Keywords	Keywords	License
Action			Action Due Date		Completed Date		Action Notes	Responsible Att. In
U.S. Filing Due			1/17/2006		1/17/2006			
Info Discl. Statement			1/17/2006		1/17/2006			
Preliminary Amendment			1/17/2006		1/17/2006			
Assignment			3/17/2006		4/11/2006			
Declaration			3/17/2006					
Assignment			4/11/2006		4/11/2006		017471: 0060-0062	
Published			5/17/2006					
Filing Receipt			5/17/2006					
Status Inquiry			2/16/2007		2/16/2007			
Communication			5/1/2007		5/1/2007		Notification of	
1st Office Action			1/17/2008					

Created: 12/30/2005 Updated: 5/4/2007 10:03:39 AM By: 465506

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Status Code	Action Due Date	Country WIPO	Action Description	Docket Number	Application Number	Application Date	Attorney Name	Notes	Action Code
F	7/23/2006	US	Filing Receipt	91851	11/387,491	3/23/2006	Susan L. Parulski		FIR
F	7/23/2006	US	Filing Receipt	92098	11/387,492	3/23/2006	Stephen H. Shaw		FIR
F	7/23/2006	US	Filing Receipt	92246	11/387,489	3/23/2006	Stephen H. Shaw Justin D.		FIR
F	7/23/2006	US	Assignment	87002	11/409,905	4/24/2006	Petruzzelli Justin D.		ASG
F	7/23/2006	US	Declaration	87002	11/409,905	4/24/2006	Petruzzelli Justin D.		DEC
F	7/23/2006	US	Response	87002	11/409,905	4/24/2006	Petruzzelli Justin D.		RES
F	7/23/2006	US	Drawings	87002	11/409,905	4/24/2006	Petruzzelli		DRG
G	7/23/2006	US	Assignment	91745	11/409,883	4/24/2006	Susan L. Parulski		ASG
G	7/23/2006	US	Declaration	91745	11/409,883	4/24/2006	Susan L. Parulski	to Notice to File	DEC
G	7/23/2006	US	Response	91745	11/409,883	4/24/2006	Susan L. Parulski Missing Parts Andrew J.		RES
F	7/23/2006	US	Status Inquiry Authorization to Pay	83862	10/028,035	12/20/2001	Anderson		STA
G	7/23/2006	US	Final Fee Authorization to Pay	80724	09/574,950	5/19/2000	Frank Pincelli		ATP
G	7/23/2006	US	Final Fee	67244	10/621,777	7/17/2003	Frank Pincelli		ATP
F	7/23/2006	US	Response	87887	10/801,997	3/16/2004	Arthur E. Kluegel	To Res. Req.	RES
F	7/23/2006	US	1st Office Action	87115	10/897,603	7/23/2004	Stephen H. Shaw		10A
G	7/23/2006	US	1st Office Action	86132	10/897,599	7/23/2004	Roland Schindler		10A
F	7/23/2006	US	Response	82935	10/922,529	8/20/2004	Nancy R. Simon	To Res. Req.	RES